

## INSURANCE DIVISION[191]

### Notice of Intended Action

**Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”**

**Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.**

Pursuant to the authority of Iowa Code sections 507B.12 and 514G.11, the Insurance Division hereby gives Notice of Intended Action to amend Chapter 15, “Unfair Trade Practices,” Iowa Administrative Code.

These amendments are proposed to implement Iowa Code chapters 507B and 514G and to make rule 191—15.32(507B) be in accordance with 2015 Iowa Acts, House File 632, section 21. Iowa Code chapter 507B regulates trade practices in the business of insurance in Iowa and authorizes the Iowa Insurance Commissioner to adopt rules as are necessary or proper to identify specific methods of competition or acts or practices which are prohibited by Iowa Code chapter 507B. Iowa Code chapter 514G regulates long-term care insurance and authorizes the Iowa Insurance Commissioner to adopt rules related to long-term care insurance, including ensuring the prompt payment of clean claims.

The proposed amendments to Chapter 15 remove the exemption for long-term care insurance from the requirements for the prompt payment of health claims under rule 191—15.32(507B) so that the rule will be in accordance with 2015 Iowa Acts, House File 632, section 21, which amends Iowa Code section 514G.102 to make the requirements of Iowa Code chapter 514G related to prompt payment of claims and the payment of interest apply to all long-term care insurance policies. Also, these amendments update the Division’s Web site address in two places in Chapter 15.

The Division intends that these amendments shall go into effect January 13, 2016.

Any interested person may make written suggestions or comments on these proposed amendments on or before November 3, 2015. Such written materials should be directed to Becky Blum, Iowa Insurance Division, Product and Producer Regulation, Two Ruan Center, 601 Locust Street, Fourth Floor, Des Moines, Iowa 50319; fax (515)281-8245; e-mail [becky.blum@iid.iowa.gov](mailto:becky.blum@iid.iowa.gov).

Also, there will be a public hearing on November 3, 2015, at 10 a.m. at the offices of the Iowa Insurance Division, Two Ruan Center, 601 Locust Street, Fourth Floor, Des Moines, Iowa, at which time persons may present their views either orally or in writing. At the hearing, persons will be asked to give their names and addresses for the record and to confine their remarks to the subject of the amendments.

Any persons who intend to attend the public hearing and have special requirements, such as those relating to hearing or mobility impairments, should contact the Division and advise of specific needs.

The Insurance Division’s general waiver provisions of 191—Chapter 4 apply to these rules.

These rules will impose no fiscal impact on the State.

After review and analysis of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code chapters 507B and 514G.

The following amendments are proposed.

ITEM 1. Amend subrule 15.32(3) as follows:

**15.32(3) *Certain insurance products exempt.*** Claims paid under the following insurance products are exempt from the provisions of this subrule: liability insurance, workers’ compensation or similar insurance, automobile or homeowners insurance, medical payment insurance, or disability income insurance, ~~or long-term care insurance.~~

ITEM 2. Amend rule **191—15.32(507B)**, implementation sentence, as follows:

This rule is intended to implement ~~2001 Iowa Acts, chapter 69, section 8, and Iowa Code section 507B.4 as amended by 2001 Iowa Acts, chapter 69~~ sections 507B.4A and 514G.111 and 2015 Iowa Acts, House File 632, section 21.

ITEM 3. Amend subrule 15.83(1) as follows:

**15.83(1)** The indexed products training shall include information on all topics listed in the most recent version of the indexed products training outline available at the division's Web site, ~~www.iid.state.ia.us~~ www.iid.iowa.gov.

ITEM 4. Amend rule 191—15.85(507B,522B) as follows:

**191—15.85(507B,522B) Verification of training.** Insurers, producers and third-party contractors may verify a producer's completion of the indexed products training by accessing the division's Web site at ~~www.iid.state.ia.us~~ www.iid.iowa.gov.